

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**JOHN BELL,**

**Plaintiff,**

**V.**

**DOUGLAS CO., OMAHA POLICE  
DEPARTMENT, and KATHERN  
MARTINBOCK, Detective,**

## Defendants.

**CASE NO. 4:07CV3140**

# MEMORANDUM AND ORDER

This matter is before the court on its own motion. On May 30, 2007, the plaintiff, a prisoner in the custody of the Douglas County Correctional Facility, filed a Complaint accompanied by a request to proceed In Forma Pauperis (“IFP”). (Filing Nos. 1 and 2). This court granted the plaintiff’s request to proceed IFP, and ordered the plaintiff to pay an initial partial filing fee of \$101.78 by August 10, 2007. (Filing No. 9). Plaintiff was warned that in the absence of payment of the initial partial filing fee by the specified deadline, this case may be subject to dismissal. The August 10, 2007, deadline has now passed and the plaintiff has failed to pay the initial partial filing fee. Therefore, the plaintiff’s Complaint and this action are dismissed without prejudice for failure to pay the initial partial filing fee and for noncompliance with a court order.

IT IS ORDERED:

1. This case is dismissed without prejudice;
2. The plaintiff remains obligated to pay the full filing fee in accordance with this court's prior order, Filing No. 9; and
3. A separate Judgment will be entered.

Dated this 20<sup>th</sup> day of August, 2007.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge